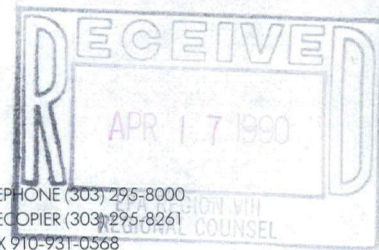


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April 16, 1990

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VIA HAND DELIVERY
RETURN RECEIPT REQUESTED

Sandra R. Moreno, Esq.
U.S. Environmental Protection Agency
Office of Regional Counsel, 8RC
999 18th Street, Suite 500
Denver, Colorado 80202-2405

RE: Response To Request For Information Pursuant To Section
104 of CERCLA

Dear Sandra:

This letter responds to EPA's request for information letter, issued pursuant to Section 104 of CERCLA, regarding the East Helena Site (the "Site") which was received by ASARCO Incorporated ("Asarco") on April 9, 1990. Specifically, EPA has inquired about the source, extent and nature of the release or threatened release of hazardous substances, pollutants or contaminants, or hazardous wastes related to the zinc plant which Asarco purchased from the Anaconda Minerals Company in 1972. EPA has requested Asarco respond to two questions and to supply any and all pertinent documentation.

The first question is stated as follows:

Does Asarco have any records or documentation of process fluids, lines, pipes, ditches, or other circuits that conveyed process fluids to, from, or between the zinc fuming plant and any of the present or former process ponds at the Site. If available, also provide any information regarding the constituents, in particular metals concentrations, of those fluids.

According to available documentation, the zinc fuming facility did withdraw water from Lower Lake and discharge water back into Lower Lake from 1927 through 1982. Asarco has located several engineering drawings depicting various aspects of the zinc facility operations which confirm this withdrawal from and the discharge to Lower Lake. Engineering Drawing HG-5, dated August 2, 1927 and attached as **Exhibit 1**, identifies the general layout of the Anaconda slag plant water system as well as the withdrawal



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and discharge points for Lower Lake. The water handling system at Anaconda's zinc fuming facility is shown in greater detail in Engineering Drawing HG-4, dated August 2, 1927 and attached as **Exhibit 2**. Photographs taken of the zinc facility, dated November 25, 1939 and August 13, 1954, copies of which are attached as **Exhibits 3** and **4** respectively, depict distinct water discharges from the zinc fuming plant to Lower Lake. These discharges are indicated with arrows on each of the two photographs.

Later engineering drawings also confirm Anaconda's practice of discharging water to Lower Lake. Engineering Drawing HG-17, dated March 17, 1961 and attached as **Exhibit 5**, identifies this same discharge. Engineering Drawing HG-20, dated October 20, 1963 and attached as **Exhibit 6**, illustrates Anaconda's expansion of the zinc fuming water handling system. The expansion entailed replacing the former 2,000 gallons per minute ("gpm") pump with a larger 5,000 gpm pump.

Also attached as **Exhibit 7** is an April 7, 1975 chemical analyses of the constituents of both the intake and discharge waters of the zinc fuming facility. The samples were taken prior to discharge of process waters to lower lake by the lead facility. Therefore, the results of the analyses demonstrate the nature and extent of the zinc fuming operation's contribution of metals (copper, lead, zinc, iron, and cadmium) as well as arsenic to Lower Lake.

EPA's second request for information is stated as follows:

Does Asarco have any records or documentation of "contact water" being produced or used in any manner by the zinc plant, during any portion of its existence from 1927 to 1982? If so, what was the fate of this "contact water"?

("contact water" is herein used to refer to any fluid used in the smelting or fuming processes that came into direct contact with metal-bearing materials or by-products of the zinc fuming processes, including washdown water or water used to suppress dust at the zinc plant)

Asarco has been unable to locate any records or documentation which confirm "contact water" was either produced or used in any manner by the zinc fuming facility at any time during the course of its existence from 1927 to 1982.

Asarco has conducted a complete search for the information EPA has requested and is continuing to examine its records and

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documents for any further information. If additional materials are located, Asarco will immediately provide these to EPA.

We have attached a telecopy of the executed notarized certificate; the original will be hand delivered to you tomorrow, April 17, 1990. If you have any questions regarding Asarco's response to EPA's request for information, please do not hesitate to contact me or Jon C. Nickel at 406-227-7191.

Very truly yours,



Cynthia S. Leap
Peter W. Downing
for HOLLAND & HART
Attorneys for ASARCO Incorporated

Enclosures

cc: Mr. D. Scott Brown
Michael D. Goodstein, Esq.
William O. Hart, Esq.
Mr. J. B. Davis
Mr. Jon C. Nickel
Frank H. Morison, Esq.

SENT BY HOLLAND 5:14RT

; 4-16-90 11:45AM ;

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NOTARIZED CERTIFICATE

I, William O. Hart, having been duly sworn and being of legal age, hereby state:

1. I am the person authorized by ASARCO Incorporated

to respond to the Environmental Protection Agency's (EPA's) request for information concerning the East Helena Smelter Site in East Helena, Montana.

2. To the best of my knowledge, I have made a complete and thorough review of all documents, information, and sources relevant to the request.

3. I hereby certify that the attached response to EPA's request is, to the best of my knowledge, complete and contains all currently available information and documents responsive to the request.

William O. Hart
(Signature)

William O. Hart
(Print Name)

Assistant General Counsel
(Title)

Subscribed and sworn to me this 16th day of Apr, 1990.

Beth Bernett
Notary Public
BETH BERNETT
NOTARY PUBLIC, State of New York
No. 51-603212
Qualified in New York County
My Commission Expires June 30, 1990
My address is 165 E. 36th Street
New York, NY 10016